





**Brighton & Hove  
City Council**

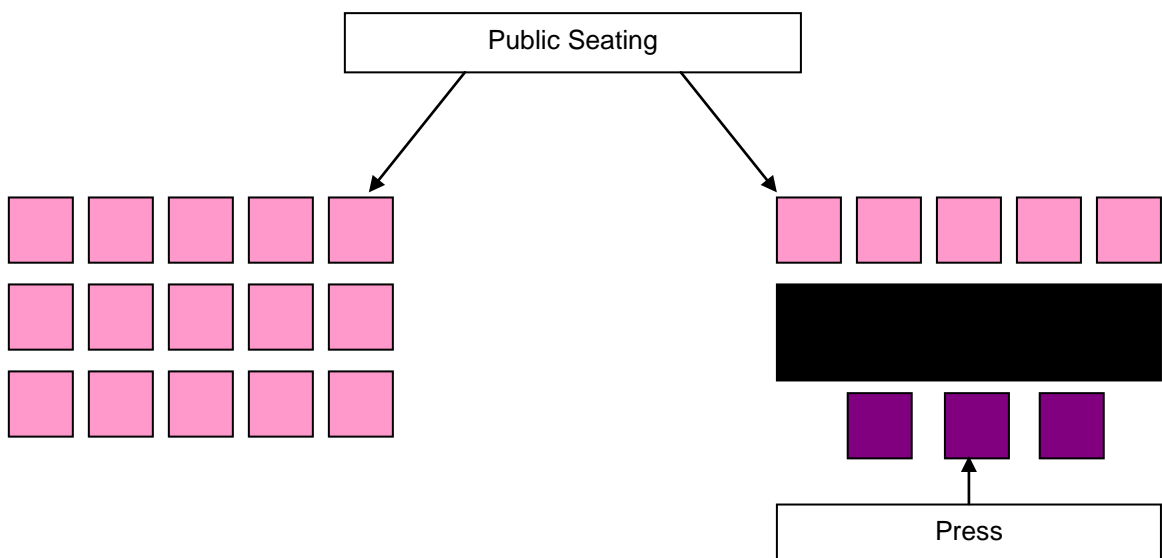
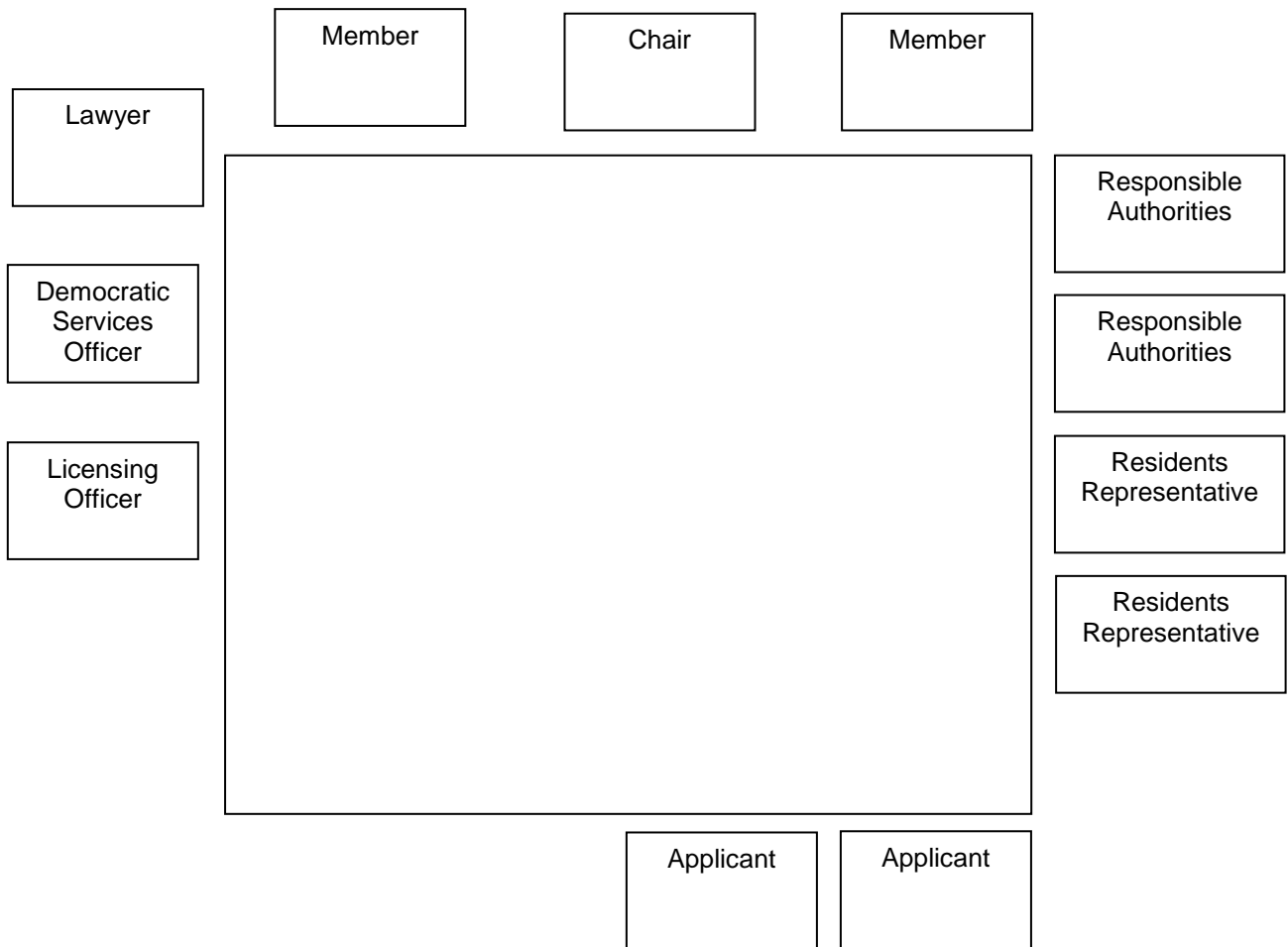
# Licensing Panel

(Licensing Act 2003 Functions)

Title:	<b>Licensing Panel (Licensing Act 2003 Functions)</b>
Date:	<b>29 January 2018</b>
Time:	<b>10.00am</b>
Venue	<b>Room G90, Hove Town Hall</b>
Members:	<b>Councillors:</b> O'Quinn, Page and Simson
Contact:	<b>Gregory Weaver</b> Democratic Services Assistant 01273 29-1214 greg.weaver@brighton-hove.gov.uk

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# Democratic Services: Meeting Layout



## AGENDA

**72 TO APPOINT A CHAIR FOR THE MEETING**

**73 WELCOME & INTRODUCTIONS**

**74 PROCEDURAL BUSINESS**

(a) **Declaration of Substitutes:** Where Councillors are unable to attend a meeting, a substitute Member from the Licensing Committee may attend, speak and vote in their place for that meeting.

(b) **Declarations of Interest:**

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

(c) **Exclusion of Press and Public:** To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

**NOTE:** *Any item appearing in Part Two of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.*

*A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.*

75 APPLICATION FOR NEW PREMISES LICENCE, THE WARREN, ST PETER'S CHURCH GROUND, BRIGHTON 1 - 30

Report of the Executive Director, Neighbourhoods, Communities and Housing (copy attached)

Contact Officer: Dean Love Tel: 01273 295347  
Ward Affected: St Peter's & North Laine

**NOTES:** *Applicants, Agents, Representatives from Statutory Authorities and Other Interested Parties are kindly requested to wait outside before the beginning of the hearing until called in together by the clerk.*

*There may be more than one item on this agenda, and as such the item you are interested in may not be heard until later in the day. However, the Chair reserves the right to alter the running order of the agenda at the start of the meeting without prior notice.*

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Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Gregory Weaver, (01273 29-1214, email [greg.weaver@brighton-hove.gov.uk](mailto:greg.weaver@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)

Date of Publication - Friday, 19 January 2018

# Licensing Panel (Licensing Act 2003 Functions)

**Agenda Item 75**  
Brighton & Hove City Council

<b>Subject:</b>	<b>Application for a Time Limited Premises Licence under the Licensing Act 2003</b>		
<b>Premises:</b>	<b>The Warren St Peters Church Ground York Place Brighton BN1 4GU</b>		
<b>Applicant:</b>	<b>Otherplace Ltd</b>		
<b>Date of Meeting:</b>	<b>29 January 2018</b>		
<b>Report of:</b>	<b>Executive Director of Neighbourhoods, Communities &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Emma Bullen</b>	<b>Tel: (01273) 292381</b>
	<b>Email:</b>	<b>emma.bullen@brighton-hove.gcsx.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>St. Peter's And North Laine</b>		

## FOR GENERAL RELEASE

### 1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To determine an application for a Time Limited Premises Licence under the Licensing Act 2003 for The Warren.

### 2. RECOMMENDATIONS:

- 2.1 That the Panel determine an application for a Time Limited Premises Licence under the Licensing Act 2003 for The Warren.

### 3. CONTEXT/BACKGROUND INFORMATION & CONSULTATION

- 3.1 The application is for a Time Limited Premises Licence under the Licensing Act 2003. The application proposes that the premises will primarily consist of a Main House theatre/performance space in a large 'Bowler Hat' tented structure, with 3 additional bespoke theatre spaces (made from shipping containers), plus 2 bars for audience refreshment. The auditoriums will be fully seated, with the majority in a rake, and the smaller two will be primarily seated, though with flexibility to become function room spaces if required. In addition there will be a box office, various food and other concessions including a cafe, and toilet facilities on site.

The premises will run as Fringe venues, with performances taking place throughout the day by different companies and acts, with the majority of patrons likely to arrive and attend a performance and then leave afterwards, although there will also be a proportion of patrons who attend several shows in a row. The performances generally last approximately an hour each, although some shows may run for longer, and some may contain intervals. The bars are designed to cater for the audience's needs, so that they can enjoy refreshment whilst watching a show, or during intervals, as well as to the general public who want to come on site, buy food, and see what is going on. Non-alcoholic and hot beverages will be available throughout the opening times, as will prepared and pre-prepared food, ice-creams, sweets and other snacks.

3.2 Section 18 (Operating Schedule) of the application is detailed at Appendix A and the plan of the premises is attached at Appendix B.

3.3 Summary table of proposed activities

	<b>Proposed</b>
<b>A) Plays</b>	Monday to Wednesday 10:00 – 00:30 Thursday to Sunday 10:00 - 02:00
<b>B) Films</b>	Monday to Wednesday 10:00 – 00:30 Thursday to Sunday 10:00 - 02:00
<b>E) Live music</b>	Every Day 10:00 – 23:15
<b>F) Recorded Music</b>	Sunday to Wednesday 09:00 – 00:30 Thursday to Saturday 09:00 – 02:00
<b>G) Performance of Dance</b>	Sunday to Wednesday 10:00 – 00:30 Thursday to Saturday 10:00 – 02:00
<b>H) Anything of a similar description within e, f ,or g</b>	Sunday to Wednesday 10:00 – 00:30 Thursday to Saturday 10:00 – 02:00
<b>L) Late Night Refreshment</b>	Sunday to Wednesday 23:00 – 00:30 Thursday to Saturday 23:00 – 02:00
<b>M) Supply of Alcohol</b>	Sunday to Wednesday 09:00 – 00:30 Thursday to Saturday 09:00 – 02:00 On the premises

<b>O) Hours premises are open to public</b>	Sunday to Wednesday 9:00 – 01:00
	Thursday to Saturday 9:00 02:30

- 3.4 Special Stress Area: The premises falls within the Special Stress Area. This area is deemed an area of special concern in terms of the levels of crime, disorder, and public nuisance experienced within them. (See paragraphs 3.2 – 3.2.4)

### **Representations received**

- 3.5 Details of the representations made are notified to applicants on receipt by the Licensing Authority using a pro-forma. A summary appears below:
- 3.6 3 representations were received. They were received from local residents
- 3.7 Representations received had concerns relating to Prevention of Public Nuisance.
- 3.8 An agreement was reached with Sussex Police which included conditions relating Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, Protection of Children from Harm.
- 3.9 Full details of the representations and agreement are attached at Appendix C. A map of the location of the premises and showing those representations within the locality is at Appendix D.

## **4. COMMENTARY ON THE LICENSING POLICY**

- 4.1 The following extracts from Brighton & Hove City Council Statement of Licensing Policy are considered relevant to this application and **are numbered as they appear in the policy**:

### **1. Introduction**

- 1.1 This Statement of Licensing Policy has been prepared in accordance with the provisions of the Licensing Act 2003 (the Act) and having regard to Guidance issued by the Home Office under Section 182 of the act. The licensing authority is Brighton & Hove City Council. The purpose of this statement is to promote the licensing objectives and set out a general approach to making licensing decisions. The discretion of the licensing authority in relation to applications under the act is only engaged if 'relevant representations' are made by other persons or responsible authorities. This policy will inform the approach to be taken when deciding applications and imposing conditions when relevant representations are received. It is also intended as a guide for applicants as to what to include in their operating schedules, always recognising that if no representations are received, the application must be granted. The licensing authority must carry out its functions with a view to promoting the licensing objectives and this policy is framed around those

objectives. Each application will be given individual consideration on its merit. The scope of this policy covers the following:

- Retail sales of alcohol;
- The supply of alcohol by or on behalf of a club, or to the order of, a member of the club;
- The provision of regulated entertainment;
- The provision of late night refreshment.

### **1.2 The licensing objectives are:-**

- (a) Prevention of crime and disorder;
- (b) Public safety;
- (c) Prevention of public nuisance;
- (d) Protection of children from harm.

### **1.3 Scope**

Licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events. Any conditions attached to various authorisations will be focused on matters which are within the control of individual licensees and others with relevant authorisations; i.e. the premises and its vicinity. Each application will be given individual consideration on its merit. Nothing in this policy shall undermine the right of any individual to apply under the terms of the act for a variety of permissions and to have any such application considered on its individual merits. Similarly, nothing in this policy shall override the right of any person to make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the act.

## **3 Special Policies and Initiatives**

### **3.2 Special Stress Area**

The map below details the area of the Brighton city centre which borders the Cumulative Impact zone at 3.1.3 and which is deemed an area of special concern in terms of the levels of crime and disorder and public nuisance experienced within it. The area recommended for further monitoring and detailed guidance within the Special Policy comprise the following as pictured below delineated in purple:



## Cumulative Impact and Special Stress Area



The Special Stress Area - an area bounded by and including: the north side of Western Road, Brighton from its intersection with the west side of Holland Road northwards to its intersection with the north side of Lansdowne Road; eastwards to the junction with Furze Hill, along the north side Furze Hill to its end and then due east along Victoria Road to its junction with Montpelier Road (west side), north to where Montpelier Road joins Vernon Terrace then north to Seven Dials; north west along the west side of Dyke Road until the junction with the Old Shoreham Road, then East along the north side of Old Shoreham Road, north end of New England Road, across the north side of Preston Circus, eastwards along the north side of Viaduct Road, then at the junction with Ditchling Road, North East along the north side of Upper Lewes Road until the junction with Lewes Road; south along the Lewes Road to junction with Hartington Road, along the north side of Hartington Road until the junction with St. Helen's Road, south into May Road, eastwards until its junction with Freshfield Road, then south into Upper Bedford Street, into Bedford Street to the mean water mark south of Bedford Street, then due west until the mean water mark south of Lower Rock Gardens.

- 3.2.1 This Special Stress Area (SSA) is of concern to the licensing authority because of the relatively high levels of crime and disorder and nuisance experienced within it. The area will be kept under review.
- 3.2.2 New and varied applications for premises and club premises certificates within the SSA will not be subject to the presumption of refusal, but operators will be expected to pay special attention when drawing up their operating schedules and to make positive proposals to ensure that their operation will not add to the problems faced in these areas. Appendix A of the SoLP sets out a list of potential measures the licensing authority considers may be appropriate. These may be more or less appropriate depending upon the style of operation applied for.

3.2.3 On receipt of any application in the SSA, where a relevant representation has been made, the licensing authority will scrutinise the application carefully and will look at the measures proposed in the operating schedules and compare them to the measures set out in Appendix A, Licensing Best Practice Measures. Where discretion has been engaged, those applications which fall short may be refused or conditions applied to comply with policy measures.

3.2.4 The Licensing Authority will keep the Cumulative Impact Zone and Special Stress Area under review. Should the authority find that problems of crime and disorder or nuisance are not improving, or are worsening, the Special Policy will be reviewed.

### 3.3 The Matrix Approach

#### The Licensing Authority will support:

3.3.1 Diversity of premises: ensures that there is a mix of the different types of licensed premises and attracts a more diverse range of customers from different age groups, different communities and with different attitudes to alcohol consumption. It gives potential for positively changing the ambience of the city or an area of it. This will have a positive effect in reducing people’s fear of crime and in increasing the number of evening visitors to the city centre. The Community Safety Strategy recognises that too many single uses in a confined area and patrons turning out onto the streets at the same time may create opportunities for violent crime and public disorder and therefore supports: mixed use venues encouraging a wider age balance.

3.3.2 A “matrix” approach to licensing decisions has been adopted and is set out below. It provides a framework of what the licensing authority would like to see within its area and gives an indication of the likelihood of success or otherwise to investor and businesses making applications.

Matrix approach for licensing decisions in a Statement of Licensing Policy (times relates to licensable activities)

	<b>Cumulative Impact Area</b>	<b>Special Stress Area</b>	<b>Marina</b>	<b>Other Areas</b>
<b>Restaurant</b>	Yes (midnight)	Yes (midnight)	Yes	Yes (midnight)
<b>Café bar</b>	Yes (11.30)	Yes (midnight)	Yes	Yes (midnight)
<b>Late Night Takeaways</b>	No	Yes (midnight)	Yes	Yes (midnight)
<b>Night Club</b>	No	No	Yes	No
<b>Pub</b>	No	Yes (11pm)	Yes	Yes (midnight)

<b>Non-alcohol lead (e.g. Theatre)</b>	Yes (favourable)	Yes (favourable)	Yes	Yes (favourable)
<b>Off-licence</b>	No	No	Yes	Yes ( Up to 11pm but if in densely residential area may be earlier – see note 7 below)
<b>Members Club (club premises certificate)</b>	Yes (<100 capacity) (11pm)	Yes (<100 capacity) (11pm)	Yes	Yes

Notes on matrix

Subject to the following notes, the policy, as represented in the matrix, will be strictly adhered to:

- 1) Each application will be considered on individual merit
- 2) Applications within the CIZ are subject to the special policy on cumulative impact at para 3.1, and those within the special stress area to the special stress policy considerations at para 3.2.
- 3) Departure from the matrix policy is expected only in exceptional circumstances
- 4) Exceptional circumstances will not include quality of management or size of venue except where explicitly stated in policy matrix.
- 5) Exceptional circumstances may include: consultation with and meeting requirements of responsible authorities, an appropriate corporate social responsibility policy, community contribution to off set impact (such as financial contribution to infrastructure), community support, alcohol sale ancillary to business activity (demonstrable to responsible authorities and licensing authority, for instance by licence condition allowing authorised officers access to sales accounts).
- 6) The following licensing activities are encouraged and valued by the licensing authority: outdoor regulated entertainment, community based street parties, members clubs, traditional pubs outside the city centre and non-alcohol led licensable activities, particularly within city centre.
- 7) Other Areas; consideration will be given to the nature of the area and location in relation to any application. In a residential area for example the concerns of local residents will be relevant when considering applications for off-licences, pubs or café bars, especially if there is evidence of anti-social behaviour, street drinking or underage drinking. Earlier closing times may be appropriate. Regard will be had to the Public Health Framework for assessing alcohol licensing and the Street Community and Drug Activity Profile. These documents are available on the following page of our website [www.brighton-hove.gov.uk/licensingact](http://www.brighton-hove.gov.uk/licensingact).
- 8) In an area where there are already several existing off-licences and where representations are received about negative cumulative impact on the licensing objectives of a further premises, the application may be refused on these grounds.

- 9) Outdoor events will be supported where arranged through the council's event planning process. Generally, regulated entertainment in the open air including tents and marquees should have a maximum closure hour of 2300. Earlier hours may be imposed in sensitive open spaces or near residential areas. The Licensing Authority will have regard to Noise Council guidance.

#### **4 Prevention of Crime and Disorder**

- 4.1.1 The following details and measures are intended to address the need for the prevention of crime and disorder which may be associated with licensed premises and certificated club premises. Conditions attached to licences and certificates will, as far as possible, reflect local crime reduction strategies.
- 4.1.2 The licensing authority acknowledges that training and good management play a key part in preventing alcohol and drug related crime. The authority expects that all licensees of on-licensed premises attend training programmes which will raise their awareness of the issues relating to drugs and violence in licensed premises, and that suitable training be extended to all bar staff and door supervisors so that drug dealers and users will be deterred from using licensed premises for illegal purposes and that incidents of violence in licensed premises will be reduced. Licensees are also encouraged to attend training programmes to help identify children at risk and issues of basic child protection. It is the duty of the designated premises supervisor (DPS) to train staff on induction concerning conditions on their premises licence.
- 4.1.3 It is expected that the DPS will spend a significant amount of time on the premises. When not on the premises it will be essential that the DPS is contactable, particularly should problems arise with the premises and that staff are authorised by the DPS.
- 4.1.4 The location of violent attacks, anti-social behaviour and hate crime or related incidents may be used to justify closing times.

#### **5 Public Safety**

- 5.1 The following details and measures are intended to address the need for the protection of public safety which may be associated with licensed premises and certificated club premises.
- 5.1.1 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the "permitted capacity" of those premises should be.

5.1.3 Conditions may be imposed in accordance with operating schedules to protect public safety including where justified:

- (a) provision of closed-circuit television and panic buttons.
- (b) use of shatterproof drinking vessels; bottles requiring use of toughened glass or plastic should normally be required unless applicants can show exceptional reasons.
- (c) use of door supervisors, licensed by the Security Industry Authority.
- (d) requirement of a minimum of a licensed door supervisor for every 100 customers in nightclubs and large city centre pubs or as indicated by risk assessment.
- (e) occupant capacity conditions will be applied where appropriate.
- (f) the provision of designated and suitably trained first aiders.

5.1.4 Where appropriate, licence holders or their authorised representatives will submit event safety plans and operating manuals, attend Event Planning Teams or Safety Advisory Groups and similar meetings prior to large events and shall be part of Event Liaison Teams during such events. Due regard shall be had to relevant guidance and publications including, for example: HSE approved code of practice for events.

## **6 Prevention of Public Nuisance**

6.1 The following details and measures are intended to address the need for the prevention of public nuisance which may be associated with licensed premises and certificated club premises.

6.1.1 In determining applications for new and varied licences, regard will be had to the location of premises, the type and construction of the building and the likelihood of nuisance and disturbance to the amenity of nearby residents by reason of noise from within the premises, as a result of people entering or leaving the premises or from individuals or groups of customers gathered outside (e.g. in order to smoke).

6.1.2 Applications for new licences or for the extension in size of licensed premises should not normally be granted if the premises will use amplified or live music and operate within or abutting premises containing residential accommodation except that occupied by staff of the licensed premises. A condition may be imposed on new licences that entertainment noise shall be inaudible in any residence. Noise emanating from within licensed premises should not normally be audible outside.

6.1.3 Installation of sound limiting equipment and sound insulation may be required to minimise disturbance to the amenity of nearby residents by reason of noise from the licensed premises.

- 6.1.4 Generally, regulated entertainment in the open air including tents and marquees should have a maximum closure hour of 2300. Earlier hours may be imposed in sensitive open spaces or near residential areas. The Licensing Authority will have regard to Noise Council guidance.
- 6.1.5 In determining applications for new licences or extensions in hours or terminal hours of licensed premises, regard will be had to late night public transport availability and location of taxi ranks to aid dispersal of customers.
- 6.1.6 Reasonable controls are available to all premises operators to minimise the impact of noise from customers outside. The council's Environmental Health Department has issued guidance on a number of steps that can be taken in this respect which are endorsed by this policy (see 6.2 below).

## **7 Protection of Children from Harm**

- 7.1 The following details and measures are intended to address the need for the protection of children from harm; this includes emotional and physical harm which may be associated with licensed premises and certificated club premises (for example the exposure too early to strong language and sexual expletives, e.g. in the context of film exhibitions or where adult entertainment is provided). It is intended that the admission of children to premises holding a premises licence or club premises certificate should normally be freely allowed without restricting conditions (unless the 2003 Act itself imposes such conditions or there are good reasons to restrict entry or to exclude children completely).
- 7.2 Licensees should note the concern of the authority that drink related disorder frequently involves under 18's. To prevent illegal purchases of alcohol by such persons, all licensees should work with a suitable 'proof of age' scheme and ensure that appropriate identification is requested prior to entry and when requesting alcohol, where appropriate. Appropriate forms of identification are currently considered to be those recommended by police, trading standards officers and their partners in the Licensing Strategy Group (e.g. passport, photo driving licence or pass card).
- 7.3 It is the licensing authority's expectation that all staff responsible for the sale of intoxicating liquor receive information and advice on the licensing laws relating to children and young persons in licensed premises. Licensed premises staff are required to take reasonable steps to prevent under age sales. The licensing authority will not seek to limit the access of children to any premises unless it is necessary for the prevention of emotional or psychological harm to them. Each application will be considered on its own merit but particular areas that will give rise to concern in respect of children are to be found in section 5.3 below.
- 7.4 To reduce alcohol-induced problematic behaviour by under 18 year olds, to enforce underage purchase and drinking laws and to assist in the protection of children from harm, the licensing authority supports the following measures:-
  - a) Police should exercise powers (Confiscation of Alcohol (Young Persons) Act 1997) to remove alcohol from young people on the street

- b) Police and trading standards should implement test purchasing to reduce sales to under 18s in on and off sales licensed premises
- c) Further take-up of proof of age schemes will be promoted
- d) In-house, mystery shopper type schemes operated by local businesses will be supported
- e) Providers of events specifically catering for unaccompanied children should consider whether all staff at such events need to be DBS checked

7.5 The licensing authority will not seek to require that access to any premises is given to children at all times – under normal circumstances this will be left to the discretion of the licensee. The following areas give rise to concern in respect of children, who will normally be excluded from premises:

- where there have been convictions for serving alcohol to minors or with a reputation for underage drinking;
- with a known association with drug taking or dealing;
- where there is a strong element of gambling on the premises;
- where entertainment of an adult or sexual nature is commonly provided;
- where premises are used primarily or exclusively for the sale and consumption of alcohol and there is little or no seating for patrons.

Options may include:

- limitations on the hours when children may be present;
- age limitations (below 18);
- limitations or exclusions when certain activities are taking place;
- requirements for an accompanying adult;
- full exclusion of people under 18.

7.6 Licensees of premises giving film exhibitions will be expected to include in their operating schedules arrangements for restricting children from viewing age restricted films. Such premises will be subject to a mandatory condition requiring that access will be restricted to only those who meet the required age limit in accordance with any certificate granted by the British Board of Film Classification, or in specific cases where such certificates have not been granted, the licensing authority. The licensing authority does not intend to adopt its own system of film classification. The licensing authorities procedures for dealing with unclassified films are appended at **Appendix E of the Statement of Licensing Policy..**

7.7 Where children are expected to attend a public entertainment, appropriate adult supervision will be required to control the access and egress of children and to protect them from harm. This will normally be an adult member of staff for every 100 children. Where the entertainment is music and dancing, 2 persons, licensed by the Security Industry Authority (door supervisors) should be employed for every 100 children but will be subject to advice within the Event Safety Guide. Nothing in this policy shall seek to override child supervision requirements contained in other legislation or regulations. For exclusively under 18 events reference should be made to police guidelines (available from the Police Licensing Unit, Brighton tel. 101).

The licensing authority recognises the Director of Childrens Services as being competent to advise on matters relating to the protection of children from harm. Applicants shall copy their applications to the Director of Childrens Services in its capacity as the responsible authority. Copies should be sent care of the Police. The “What to do” booklet is a national one and can be accessed here: <http://www.brightonandhovelscb.org.uk/wp-content/uploads/What-to-do-if-a-child-is-being-abused.pdf> Probably also worth getting him to put in that if you are concerned about a child locally to contact the Multi-Agency Safeguarding Hub (MASH) on 01273 290400, or you can contact Sussex Police on 101. If they think a child is in immediate danger to dial 999.

- 7.8 Trading standards and the police undertake ongoing enforcement operations around under-age sales and test purchasing. Sussex Police, BCRP and undertake work concerning proxy purchases and counterfeit ID as part of the partnership support work with Community Safety and Trading Standards.
- 7.9 Trading standards have a programme of business support including training for local businesses to avoid under-age sales.

## **8 Integration of Strategies**

- 8.1 The licensing authority shall secure the proper integration of this policy with local crime prevention, planning policy, transport, tourism and cultural strategies by:-
- Liaising and consulting with the Sussex Police, Community Safety Forum, Sustainability Commission representatives and following the guidance in community safety and crime and disorder strategy
  - Liaising and consulting with Public and Alcohol Programme Board
  - Liaising and consulting with the East Sussex Fire & Rescue Service
  - Liaising and consulting with the Local Strategic Partnership, Safety Advisory Group (Emergency Planning) and Equalities and Social Justice Consultation Forum
  - Liaising and consulting with the Planning authority
  - Liaising and consulting with the Highways authority
  - Liaising and consulting with local business and business associations. Having regard to any future documents issued relating to the Private Security Industry Act 2001, for example liaison or information sharing protocols
  - Liaising and consulting with the Trading Standards Team, for example with regard to test purchasing codes of practice
- 8.2 In line with statutory requirements and the Council’s Inclusion Policy, the Licensing Authority shall have due regard to the need to eliminate unlawful discrimination, and to promote equality of opportunity and positive relations between persons of diverse backgrounds, for example communities of interest such as: lesbian, gay, bisexual and transgender people; disabled people; racial and ethnic groups; religious and faith groups.
- 8.3 This policy supports the aims of the tourism strategy, recognising the benefits for the tourism economy of creating a safer and more attractive city centre and improving competitiveness with other European cities. The Licensing Committee



should receive any reports relevant to the needs of the local tourist economy and the cultural strategy for the area to ensure that it considers these matters.

- 8.4 The Licensing Committee should receive relevant information relating to the employment situation of the area and the need for new investment and employment where appropriate.
- 8.5 Specific conditions may be attached to premises licences to reflect local crime prevention strategies. Such conditions may include the use of closed circuit television cameras, use of the NightSafe radio system or accredited scheme, the provision and use of shatterproof drinking receptacles, drugs and weapons search policy, the use of registered door supervisors, specialised lighting requirements, hours of opening. Certificates issued to club premises shall reflect local crime prevention strategies and may include any or all of the requirements listed above.
- 8.6 The licensing authority will have regard to the need to disperse people quickly and safely from the city centre to avoid concentrations which may produce disorder and disturbance.

## **APPENDIX A – Licensing Best Practice Measures**

Best Practice Measures to be included for consideration, in particular in SSA:

Matters that would normally be expected in operating schedules:

- the adoption of a policy (e.g. Challenge 25) with acceptable proof of id as per existing Statement of Licensing Policy
- all off sales to be made in sealed containers for consumption away from the premises
- a smoking policy which includes an assessment of noise and litter created by premises users
- the use of plastic or polycarbonate drinking vessels and containers, especially in outside areas or after specified hours
- a policy in relation to searching customers and for drugs, weapons, seized or lost and found property
- use of a refusals book for registering attempts to buy alcohol by underage persons or refusals to those intoxicated
- the installation of a digital CCTV system by liaison with, and to a standard approved by, Sussex Police
- policies for dispersal of customers which may include signage regarding taxi services' telephone numbers and advice to respect neighbours and minimize noise

Items to which positive consideration would be given:

- membership of Business Crime Reduction Partnership, Pubwatch, Neighbourhood Watch or similar schemes
- use of 'NightSafe' radio system or similar accredited scheme

- regular training and reminders for staff in respect of licensing legislation, policies and procedures; records of which should be properly recorded and available for inspection
- records of regular checks of all parts of the premises in relation to drug use
- systems in place to ensure details of barred clients are exchanged with other operators
- giving an agreed minimum notice of special events (screening of major sports events, birthday parties, adult entertainment, etc.) to relevant authorities and use of appropriate additional measures at such events

Recommend best practice for both on and off premises

- Staff must be aware of the risk of the problem of proxy sales and offer assistance to responsible authorities to deter offences
- Signage on premises should set out legal duties
- Voluntary restriction of high strength alcohol – operating schedules may be used to limit high ABV beers and ciders
- Staff training – in addition to personal licence holders training, staff must be adequately trained for duties
- Challenge 25 would be the norm, particularly in the off licence trade
- Signage – proxy sale – deterrence

## 5. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 5.1 The Licensing Act 2003 provides for fees to be payable to the licensing authority in respect of the discharge of their functions. The fee levels are set centrally at a level to allow licensing authorities to fully recover the costs of administration, inspection and enforcement of the regime.

*Finance Officer Consulted Monica Brooks*

*Date: 11/01/18*

### Legal Implications:

- 5.2 The licensing authority must act to promote the four licensing objectives which are:
- The prevention of crime and disorder
  - Public safety
  - The prevention of public nuisance
  - The protection of children from harm

The licensing authority must have regard to its statement of licensing policy and the guidance issued by the Secretary of State in carrying out its functions.

*Lawyer Consulted: Rebecca Sidell*

*Date: 11/01/18*

#### Equalities Implications:

- 5.3 Diversity is valued and strong, safe communities are vital to future prosperity. Licensing policy aims to protect children from harm including sale and supply of alcohol to children.

#### Sustainability Implications:

- 5.4 Licensing policy aims to prevent public nuisance and develop culture of live music, dancing and theatre.

### **SUPPORTING DOCUMENTATION**

#### **Appendices:**

1. Appendix A – Section 18 (Operating Schedule) of the Application
2. Appendix B – Plan of Premises
3. Appendix C – Representation and agreement
4. Appendix D – Map of area

#### **Documents in Members' Rooms**

Brighton & Hove City Council, Licensing Act 2003: Statement of Licensing Policy 2016 as amended 24th March 2016.

Home Office, Revised Guidance issued under section 182 of the Licensing Act 2003, March 2015.

Public Health Framework for assessing Alcohol Licensing. Annual Report – Ward. 3rd edition. Public Health Intelligence. October 2017

#### **Background Documents**

Brighton & Hove City Council, Licensing Act 2003: Statement of Licensing Policy 2016 as amended 24th March 2016.



## APPENDIX A

### Section 18 of 21

#### LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

The locations and activities will be planned in consultation with Brighton & Hove City Council, other relevant stakeholders and in coordination through the BHCC Round Table meetings. Cooperation and partnership is recognised as the best means of promoting the licensing objectives:

- the Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- the Protection of Children from Harm

For the safety of all involved the Round Table will be consulted on matters concerning this event.

All event planning and supporting documentation underpins the four licensing objectives. The Event Management Plan is intended as a document to uphold all license conditions and show the Event organiser's due diligence in regards to aspects of licensing and safety for the event.

The Event Organiser has abided by the Event Safety Guide HSG195 (commonly known as the Purple Guide), and all events will be run in line with the Council's Events Policy.

b) The prevention of crime and disorder

The site is enclosed by wooden paneled or Heras security fencing with entrances overseen by SIA-licensed Security staff at all times when open to the public. Security staff will also be deployed within the event site in accordance with risk assessments. The focus of these deployments will be the bars and potentially vulnerable back of house areas.

Alcohol will be served from several bars within the site.

Where alcohol is to be supplied to the public as an integrated element of an event, delineated areas with physical boundaries will be constructed.

All such alcohol is to be consumed within the overall site, unless it is agreed in advance by the multi-agency planning group to relax this condition. At this stage the event is not expected to request such a measure.

A minimum of half hour drinking up time is allowed by the licence where alcohol is supplied, even if event closes early, unless in an emergency situation.

The protocol between the council and the emergency services specifically for outside events agreed in 2004 will be continued.

c) Public safety

We will, throughout the event process, liaise through the BHCC Events Office with the Environmental Health & Licensing section and the Emergency Services.

Only plastic bottles, tin cans, cardboard cartons or paper/plastic cups will be supplied by vendors on site for the supply of alcoholic and non-alcoholic drinks. No drinks will be sold (or dispensed) in glass bottles or vessels.

We will risk assess the event in consultation with our Security & Stewarding partners, Select. A projected deployment schedule will be developed in such numbers and at such times as deemed necessary, and in consultation with Sussex Police as required. This will be assessed as the project proceeds and adjusted as required.

We recognise that we are unable to manage our legal and social obligations to control persons excess drinking of alcohol if individuals are consuming their own. Therefore no patrons are to be admitted into the site if in possession of alcohol.

No sale of alcohol to those intoxicated & Challenge 25 on sales. Bar staff will be briefed accordingly.

*Continued from previous page...*

Security SIA-licensed staff at the entrance will use their judgement and discretion to search customers suspected of concealing alcohol, drugs or weapons. Items of concern include bottles of spirits, wine and strong beers; and drugs and weapons of any kind. Searching will be in accordance with the Select Security Search Policy. Dynamic risk assessment may lead to random searching at an appropriate ratio which may also be usefully implemented as a preventative measure, and at times, according to the aforementioned dynamic risk assessment, we may implement strict 'all-bag' searches on patrons entering the site.

d) The prevention of public nuisance

A Noise Management Plan will be prepared by Electric Star - who may also supply sound infrastructure. This will include procedures for measuring and monitoring noise before and during the event, as well as Advance Notice and contact numbers for public and EHOs. A noise helpline will be available to local residents to living adjacent to the site.

A commercial waste contractor will provide suitable waste containers and clear them throughout the event. This will not be done after 23:00 hours in the evening, nor before 06:00 hours in the morning. All waste and litter after events will be thoroughly cleared with a security deposit held by Brighton & Hove City Council to ensure that this happens.

e) The protection of children from harm

Individual shows will be age-rated and access controlled accordingly by Box Office and Front Of House staff. A full multi-agency approach, including the Police and the BHCC will be adopted for the planning and operation of the event through the Round Table. Advice will be sought from the Child Protection Unit where appropriate. Children are to be accompanied at all times – including in any designated Family Areas. No unaccompanied under 18s to be allowed on site after 23.00 hrs. The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, driving licences with a photograph, photographic military ID or proof of age cards bearing the 'PASS' mark hologram. The list of approved forms of ID may be amended or revised with the prior written agreement of Sussex Police and the Licensing Authority without the need to amend the licence or conditions attaching to it.

Suitable and sufficient signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.

The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:

- The lawful selling of age restricted products
- Refusing the sale of alcohol to a person who is drunk

All age-restricted sales training undertaken by staff members shall be fully documented and recorded. All training records shall be made available to Sussex Police and Brighton & Hove Trading Standards Service upon request.







## **APPENDIX C**

-----Original Message-----

From: David Haslam

Sent: 29 December 2017 16:09

To: EHL Safety

Subject: 1445/3/2017/05809/LAPREN - Licensing Representation

### **EB CON ENDS 03.01.18 VALID PPN (A)**

Please see below my representation in regard to license application 1445/3/2017/05809/LAPREN (The Warren, St Peter's church).

I live adjacent to the rear entrance/exit to The Warren. I love Brighton, and the Fringe, and I just ask that Richard Carter to be more considerate to his neighbours before, during, and after the event - even if this reduces his profit margin.

In detail:

1. The opening hours should not be extended. I get very little sleep when The Warren is on, and I'd be extremely disappointed to get less due to even longer opening hours (particularly on a workday evening, such as Sunday). If an event finishes at 2am, then I can expect less than six hours respite before deliveries commence at 8am (and less in actual fact because I have to get up at 6am to go to work). And this lasts for an entire month.
2. The conditions imposed last year should remain or be improved in the neighbours favour. i.e:
  - 2a. No collections or deliveries to take place between 23:00 hours and 08:00 hours.
  - 2b. A fully manned noise helpline, available at all times, to be made public especially to residents living adjacent to the site.
  - 2c. Only the main gates to be used for access and egress after 23:00 hours save for emergencies.
3. The land should be made good after the event has finished. Since all of the grass is worn away during the event the land becomes a bog as soon as the autumn weather sets in - this never happened before The Warren residence. Whatever attempts are being made to make good the land after the event over the last couple of years are clearly not sufficient.
4. The get-in and get-out should be limited to the working day, e.g. 9-5. There is no need for us to have to put up with more noise issues outside the dates of the events themselves.
5. Rubbish bins should be kept on the West or Northern side of the event space (as they were last year), and should not be left to overflow with rubbish (which they were last year).

Kind Regards, David Haslam  
1 Waterloo Place, Brighton, BN2 9NB

**From:**

**Sent:** 29 December 2017 19:29

**To:** EHL Safety

**Subject:** 1445/3/2017/05809 LAPREN -licensing representation

**EB CON ENDS 03.01.18 VALID PPN (B)**

To Whom It May Concern

With regards to the application for a license for regulated entertainment and supply of alcohol made by Richard Carter, Otherplace - The Warren, St Peter's Church

I am a homeowner and resident in very close proximity to the proposed site, residing in Waterloo Place. Previous years activities at the proposed site have caused much disruption, noise and resulting CONTINUED lack of sleep over a five week period.

**In summary, main objections for very careful consideration**

- 1. Truly RELENTLESS noise and disturbance - day and night and over a long 5 week period, deliveries, refuse collections, revellers, loud music**
- 2. Licensed hours don't take account of working week hours - late finish on Thursday and Sunday nights with shows often over running**
- 3. Poor waste management - bins left overflowing and outside of site**
- 4. Unsatisfactory reparation of site- land left in a state where drainage is a major issue for the remainder of the year making the area not fit for use**

The activities at this site cause disruption and noise not only throughout the day but into the evening and late nights, and not restricted to Friday and Saturday nights. Thursdays and Sundays appear to have late finishes which make for a disturbed nights sleep before a regular working day. It is relentless and it begins well in advance of the festival.

The working hours to set up the site do not appear to be restricted or scheduled between 9 and 5 meaning noise and disturbance for an even longer period either side of the festival and late into the evening.

Once the festival is in full swing disruption is then continued beyond the licensing hours when the site is being serviced - collection of rubbish in the early hours of the morning and deliveries to restock the food and bar areas.

There is no designated area for artist reception to make their deliveries - vans and cars pull up on main road, outside of licensed hours at rear gate causing traffic issues and more noise and disruption - opening and closing of vehicle doors, movement of props and equipment.

The constant comings and goings to construct the site, the ongoing deliveries and arrivals to prepare for the extensive programme and movement of participants, revellers and performers create a lot of noise and disruption over a prolonged time. Even a few nights of disturbed sleep causes much distress, 5 weeks is genuinely intolerable and has a negative impact on my working life.

The named contact at the Otherplace (Warren) responsible for managing disruptive situations and issues relating to noise could not be reached on the emergency

contact number that was supplied, nor would he make himself available when we presented ourselves at the site office to discuss how to remedy some of the issues.

The placement of overfilled refuse bins outside of the site walls is both unpleasant to look at and a health risk - attracting seagulls at the very least.

Once the festival is over, the land is left in bad condition with drainage a major issue for the remainder of the year making the ground not fit for any other use and an unpleasant bog ground. Please take this into consideration as part of the agreed terms of use of the land. It's all very well to rock up, throw a big party but not a very responsible, considerate or long term view to ship out quickly without a care for what is left behind for the majority of the year.

**In summary, main objections for very careful consideration**

- 1. Truly RELENTLESS noise and disturbance - day and night and over a long 5 week period, deliveries, refuse collections, revellers, loud music**
- 2. Licensed hours don't take account of working week hours - late finish on Thursday and Sunday nights with shows often over running**
- 3. Poor waste management - bins left overflowing and outside of site**
- 4. Unsatisfactory reparation of site- land left in a state where drainage is a major issue for the remainder of the year making the area not fit for use**

**Please note my appeal is based on a requirement for tight regulations of operating hours and consideration of local residents as opposed to a request to deny a license. I choose to live in the centre of Brighton and very much enjoy the hustle and bustle associated with city centre living.**

I understand that you may have to pass on this appeal to the licence applicant in advance but I'd be grateful if you could withhold my personal details. Last year the applicant made direct contact in advance of the license hearing and I felt somewhat intimidated. Please could you facilitate any communication if appropriate.

Many thanks in advance for your consideration of the points I bring to your attention.

Kind regards,

**From:**  
**Sent:** 30 December 2017 14:12  
**To:** EHL Safety  
**Subject:** Re: 1445/3/2017/05809 LAPREN -licensing representation

**EB CON ENDS 03.01.18 VALID PPN (C)**

To Whom It May Concern

I would like to second Sarah's email. In addition to highlighting the emotional stress that the relentless time able caused to residents in previous years. I, myself felt very helpless in my own home due to lack of communication from the emergency helpline provided.

I found myself greatly anticipating the closing time to only find that they were running over which was greatly frustrating and not in line with the licence. This was a regular occurrence. I propose that this years schedule does account for this event so as to ensure the venue is shut down by the stated time. Especially on working days.

Many thanks, Waterloo Place Brighton

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**From:**  
**Sent:** 29 December 2017 19:29:03  
**To:** [Ehl.safety@brighton-hove.gov.uk](mailto:Ehl.safety@brighton-hove.gov.uk)  
**Subject:** 1445/3/2017/05809 LAPREN -licensing representation

To Whom It May Concern

With regards to the application for a license for regulated entertainment and supply of alcohol made by Richard Carter, Otherplace - The Warren, St Peter's Church

I am a homeowner and resident in very close proximity to the proposed site, residing in Waterloo Place. Previous years activities at the proposed site have caused much disruption, noise and resulting CONTINUED lack of sleep over a five week period.

**In summary, main objections for very careful consideration**

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- 3. Poor waste management - bins left overflowing and outside of site**
- 4. Unsatisfactory reparation of site- land left in a state where drainage is a major issue for the remainder of the year making the area not fit for use**

The activities at this site cause disruption and noise not only throughout the day but into the evening and late nights, and not restricted to Friday and Saturday nights. Thursdays and Sundays appear to have late finishes which make for a disturbed

nights sleep before a regular working day. It is relentless and it begins well in advance of the festival.

The working hours to set up the site do not appear to be restricted or scheduled between 9 and 5 meaning noise and disturbance for an even longer period either side of the festival and late into the evening.

Once the festival is in full swing disruption is then continued beyond the licensing hours when the site is being serviced - collection of rubbish in the early hours of the morning and deliveries to restock the food and bar areas.

There is no designated area for artist reception to make their deliveries - vans and cars pull up on main road, outside of licensed hours at rear gate causing traffic issues and more noise and disruption - opening and closing of vehicle doors, movement of props and equipment.

The constant comings and goings to construct the site, the ongoing deliveries and arrivals to prepare for the extensive programme and movement of participants, revellers and performers create a lot of noise and disruption over a prolonged time. Even a few nights of disturbed sleep causes much distress, 5 weeks is genuinely intolerable and has a negative impact on my working life.

The named contact at the Otherplace (Warren) responsible for managing disruptive situations and issues relating to noise could not be reached on the emergency contact number that was supplied, nor would he make himself available when we presented ourselves at the site office to discuss how to remedy some of the issues.

The placement of overfilled refuse bins outside of the site walls is both unpleasant to look at and a health risk - attracting seagulls at the very least.

Once the festival is over, the land is left in bad condition with drainage a major issue for the remainder of the year making the ground not fit for any other use and an unpleasant bog ground. Please take this into consideration as part of the agreed terms of use of the land. It's all very well to rock up, throw a big party but not a very responsible, considerate or long term view to ship out quickly without a care for what is left behind for the majority of the year.

**In summary, main objections for very careful consideration**

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- 4. Unsatisfactory reparation of site- land left in a state where drainage is a major issue for the remainder of the year making the area not fit for use**

**Please note my appeal is based on a requirement for tight regulations of operating hours and consideration of local residents as opposed to a request to deny a license. I choose to live in the centre of Brighton and very much enjoy the hustle and bustle associated with city centre living.**

I understand that you may have to pass on this appeal to the licence applicant in advance but I'd be grateful if you could withhold my personal details. Last year the

applicant made direct contact in advance of the license hearing and I felt somewhat intimidated. Please could you facilitate any communication if appropriate.

Many thanks in advance for your consideration of the points I bring to your attention.

Kind regards,  
**AGREEMENT**

**Proposed Conditions for The Warren, St Peters Church Ground, York Place, Brighton, East Sussex, BN1 4GU 01.05.2018 – 04.06.2018**

**General**

1. The locations and activities will be planned in consultation with Brighton & Hove City Council, other relevant stakeholders and in coordination through BHCC Round Table meetings.
2. The Event Organiser has abided by the Event Safety Guide HSG195 (commonly known as the Purple Guide), and all events will be run in line with the Council's Events Policy..
3. Only the main gates to be used for access and egress after 23:00 hours save for emergencies.

Additional conditions as stated in original application or agreed with another Agency.

**The Prevention of Crime & Disorder**

4. On Sundays to Wednesdays there will be a minimum of one SIA door supervisor operating at the premises from opening until 18:00. From 18:00 until close there will be a minimum of two SIA door supervisors on duty.
5. On Thursdays, Fridays and Saturdays (and Sunday 6<sup>th</sup> May and Monday 7<sup>th</sup> May which is the Early Bank Holiday weekend and Sunday 27<sup>th</sup> May and Monday 28<sup>th</sup> May which is the Late Spring Bank Holiday weekend), there will be a minimum of one SIA door supervisor operating at the premises from opening until 16:00. From 16:00 until close there will be a minimum of two SIA door supervisors on duty.
6. At all times the premises is open to the public, the management will contract the back up services of an approved mobile support unit (MSU) 24 hours a day, with a minimum of 2 SIA registered Door Supervisors operating from it.
7. SIA licensed door supervisors or additional SIA licensed door supervisors shall be employed on any other occasions when a requirement is identified by the licence holder's written risk assessment (for example when live music events are taking place) or requested by Sussex Police in writing at least 48 hours in advance. A copy of the written risk assessment will be made available to Sussex Police Licensing at least six weeks in advance of the 1st May 2018, and Sussex Police consulted on any amendments to the risk assessment.
8. SIA door supervisors will search all bags, and use their judgement and discretion to search customers suspected of concealing alcohol, drugs or weapons. Searching will be in accordance with the Select Security Search Policy.

9 An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises. The incident log will be inspected and signed off by the DPS (or a person with delegated authority) at least once a week. The log book should be kept on the premises and be available for inspection at all times the premises are open by authorised officers of the Licensing Authority or the police. An incident will be defined as being one which involves an allegation of a criminal offence. Any refusals made at any of the bars/point of alcohol service e.g. for intoxication, will also be recorded in writing.

10 The site is enclosed by wooden panelled or Heras security fencing with entrance controlled by SIA-licensed Security staff when open to the public.

11 Where alcohol is to be supplied to the public as an integrated element of an event, delineated areas with physical boundaries will be constructed.

12 All such alcohol is to be consumed within the overall site, unless it is agreed in advance by the multi- agency planning group to relax this condition.

13 A minimum of half hour drinking up time is allowed by the licence where alcohol is supplied, even if event closes early unless emergency situation.  
Additional conditions as stated in original application or agreed with another Agency.

### **The Prevention of Public Nuisance**

14 A commercial waste contractor will provide suitable waste containers and clear them throughout the event. All waste and litter after events will be thoroughly cleared with a security deposit held by Brighton & Hove City Council to ensure that this happens.

15 No collections or deliveries to take place between 23:00 hours and 08:00 hours.

16 Between 09:00 hours and 23:00 hours, music noise or other entertainment noise from the site should not exceed the background noise level (L90) by more than 15dB(A) over a 15 minute period, at 1 metre from the façade of any noise sensitive premises.

17 Between 23:00 hours and 09:00 hours, music noise or other entertainment noise from the site should not exceed the background noise level (L90) by more than 10dB(A) over a 15 minute period, at 1 metre from the façade of any noise sensitive premises.

18 A fully manned noise helpline, available at all times, to be made public especially to residents living adjacent to the site.

Additional conditions as stated in original application or agreed with another Agency.

### **Public Safety**

19 The Premises Licence Holder will, throughout the event process, liaise through the BHCC Events Office with the Environmental Health & Licensing section and the Emergency Services.

20 Only plastic bottles, tin cans, cardboard cartons or paper cups to be supplied by vendors on site for the supply of alcoholic and non-alcoholic drinks. No drinks will be sold in glass bottles or vessels except where a meal is being sold or given as part of a hospitality package, and a written risk assessment has been undertaken taking into account the infrastructure of the bar area, type of event, category of audience.

21 No patrons are to be admitted into the site if in possession of alcohol.  
Additional conditions as stated in original application or agreed with another Agency.

### **The Protection of Children from Harm**

22 Children are to be accompanied at all times – including in any designated Family Areas.

23 No unaccompanied under 16s to be allowed on site after 22.00 hrs.

24 No under 18s to be permitted on site after 23:00 hours.

25 The premises will operate a “Challenge 25” policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, driving licences with a photograph, photographic military ID or proof of age cards bearing the ‘PASS’ mark hologram. The list of approved forms of ID may be amended or revised with the prior written agreement of Sussex Police and the Licensing Authority without the need to amend the licence or conditions attaching to it.

26 Suitable and sufficient signage advertising the “Challenge 25” policy will be displayed in prominent locations in the premises.

27 The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:

- The lawful selling of age restricted products
- Refusing the sale of alcohol to a person who is drunk

28 All age-restricted sales training undertaken by staff members shall be fully documented and recorded. All training records shall be made available to Sussex Police and Brighton & Hove Trading Standards Service upon request.

Additional conditions as stated in original application or agreed with another Agency.

**From:** Otherplace Brighton

**Sent:** 29 December 2017 16:46

**To:** Brighton Licensing

**Cc:** Phil Bourton

**Subject:** Re: Proposed Conditions for The Warren 01.05.2018 - 04.06.2018

Dear Hannah,

Nice to speak to you earlier. Following our conversations, I can confirm we are happy with the proposed conditions. Please let us know if you need anything further from us.

best wishes,  
Tom



**APPENDIX D**

